

REMARKS/ARGUMENTS

Reconsideration of the application is requested. Claims 21-40 are in the case.

I. SPECIFICATION

The specification has been objected to as not including customary headings. In response, the specification has been amended to include such headings, including a brief description of the drawings. In addition, the reference to WO 96/23757 has been corrected. No new matter is entered.

II. THE 35 U.S.C. §112, SECOND PARAGRAPH, REJECTION

Claims 21-24 (it is believed the Examiner intended to refer to claims 21-24 rather than "20-24") stand rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite for the reasons detailed on pages 2 and 3 of the Action. In response, the claims have been amended to replace "greater than" by the symbol ">", to clarify the ranges recited in the claims. Withdrawal of this rejection is now respectfully requested.

III. THE ANTICIPATION REJECTION

Claims 21-40 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent 5,877,348 to Ditzel et al. That rejection is respectfully traversed.

The present invention is directed to a process for the production of acetic acid by carbonylating methanol and/or a reactive derivative thereof with carbon monoxide in a carbonylation reaction zone containing a liquid reaction composition comprising an iridium carbonylation catalyst, methyl iodide co-catalyst, a finite concentration of water,

acetic acid, methyl acetate, at least one promoter selected from ruthenium, osmium and rhenium and a stabilising compound selected from the group consisting of alkali metal iodides, alkaline earth metal iodides, metal complexes capable of generating I⁻, salts capable of generating I⁻, and mixtures of two or more thereof. The molar ratio of promoter to iridium is greater than 2 : 1, and the molar ratio of stabilizing compound to iridium is in the range [>0 to 5] : 1.

As will be noted from the above, the invention as claimed requires a combination of a molar ratio of promoter to iridium of greater than 2:1 and a molar ratio of stabilizing iodide compound to iridium of $>0 : 1$. Ditzel contains no disclosure of a molar ratio of stabilizing iodide **compound** to iridium. Rather, Ditzel discloses a molar ratio of lithium (**cation**) to iridium. In addition, there is no disclosure or suggestion that this molar ratio in combination with a molar ratio of promoter to iridium of greater than 2:1. The promoter: iridium ratio Table 5 of Ditzel (cited by the Examiner) is 2:1 and not greater than 2:1.

In light of the above, it is clear that claims 21-40 are novel over Ditzel.

Reconsideration and withdrawal of the outstanding anticipation rejection over Ditzel are accordingly respectfully requested.

While no obviousness rejection has been made to date in this case, it is noted that the claimed combination of molar ratios prevents or mitigates the precipitation of the catalyst system (see Examples 1-7, where no precipitate is formed using the claimed molar ratios, as compared to Experiments A and B, where a precipitate is formed when the claimed combination of molar ratios is not utilized). Moreover, this advantage may be achieved without incurring detrimental affect on the carbonylation

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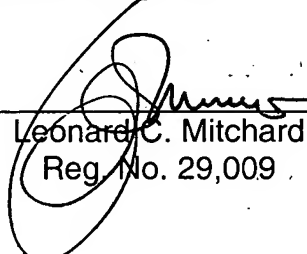
rate. There is no disclosure or suggestion in Ditzel that the stability of the catalyst system may be improved by the combination of the claimed molar ratios as claimed in the present application. It is clear, therefore, that an obviousness rejection over Ditzel does not lie in this case.

Favorable action is awaited.

Respectfully submitted,

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